IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION.

INCOME TAX APPLICATION NO. 55 OF 2002.

The Commissioner of Income-tax,
Bombay City. ... Petitioner.

V/s.

Tata Iron & Steel Co. Ltd. ... Respondents.

Mr. Ashok Kotangale for the petitioner.

Mr. P.C. Tripathi for the respondents.

CORAM : V.C.DAGA & J.P.DEVADHAR,JJ.

DATED : 13.6 .2006.

P.C. :

. In view of the findings recorded by the Tribunal, quoted hereinbelow, no substantial question of law is raiosed. Application is, thus, rejected.

. "The Tribunal found that this was the 75th year of the company and the decision to donate the amount was taken not on the last 2 days of the accounting year as held by the CIT but much earlier during meeting of dignatories. Only the actual donation had taken place. Tribunal also held that after considering the fact that the donation was made in as an employer but it incurred in discharge of its civic and legal obligations to the township of Jamshedpur and its citizens. Further tribunal held that the benefits of this donation was not confined to the employees of the company but citizens of Jamshedpur as a whole."

(V.C.DAGA,J.)

(J.P.DEVADHAR,J.)